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OGC 67-1077

31 May 1967

MEMORANDUM FOR THE RECORD

SUBJECT: Orlando Avila y Bosch

1. Mr. [Gremillion] of the WH Haiti Desk called on 25 May 1967 and stated that they had been advised by an asset in New York that Rene Juarez Leon had been arrested by the FBI in New York City on that date. A bench warrant for the arrest of Leon had been issued by the District Court for the Southern District of Florida since he failed to appear for his arraignment in March 1967. He was indicted along with Rolando Masferrer for plotting an invasion of Haiti. Mr. [Gremillion] said that they had no operational interest in Leon, but their sources had indicated Leon might be considered a political asset in the post Duvalier era in Haiti. Mr. [Gremillion] asked my opinion as to whether or not this possible future use of Leon might have an effect on the charges being dropped against him. I told Mr. [Gremillion] that it seemed highly unlikely that the Judge or the United States Attorney would consider dropping the charges since Leon had failed to appear before the court when so ordered.

2. I called Mr. Morris, Internal Security Division, Department of Justice, the attorney handling both the Masferrer and Bosch prosecutions, and told him that Leon had been arrested. It was in a previous conversation with Mr. Morris that he told me that the United States Attorney expected to obtain the indictment against Bosch on 31 May 1967. Mr. Morris said that both the United States Attorney and the Department of Justice were considering postponing the date of bringing the indictment against Bosch because of the problems which had developed in Miami after a Cuban refugee named Rivero had been arrested. The information available indicates that Orlando Bosch has been the leader of the protest demonstrations against Rivero's arrest. It would therefore seem prudent to delay the indictment rather than precipitate greater demonstrations in the Cuban community of Miami.

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3. It should also be remembered that Orlando Bosch was acquitted of extortion charges in December 1966 in the Miami District Court, and it is therefore considered unlikely that any jury will convict Bosch of the current Arms Control violation charges. A separate problem which may influence postponement of the indictment is the continuing publicity generated by the New Orleans District Attorney with his investigation of the assassination of President Kennedy and his continuing references to the involvement of Cubans both in New Orleans and Miami in the conspiracy.

John K. Greaney
JOHN K. GREANEY
Assistant General Counsel

cc: WH/Cuba
WH/Haiti

OGC:JKG:bt

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